

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Richard L. Stebbins

v.

Civil No. 14-cv-302-LM

Merrimack County Department of
Corrections et al.

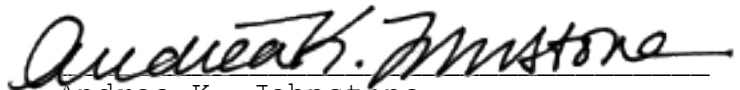
REPORT AND RECOMMENDATION

Plaintiff has requested preliminary injunctive relief in his Complaint (doc. no. 1), complaint addendum (doc. no. 6) and motion (doc. no. 7) to amend the complaint. Defendants filed an objection (doc. no. 17) to Stebbins's requests for preliminary injunctive relief. On November 25, 2014, the court issued an Order (doc. no. 18) directing Stebbins to show cause, by December 12, 2014, why his request for preliminary injunctive relief should not be denied in light of, among other things, Stebbins's anticipated release from custody on December 3, 2014. Stebbins did not respond to that order.

On December 3, 2014, defendants filed a Notice (doc. no. 19) stating that Stebbins had been released. Stebbins's release from custody constitutes a "change[] in circumstances that prevailed at the beginning of litigation [that] forestall[s] any occasion for meaningful relief." Capozzi v. Bledsoe, 560 F. App'x 157, 158-59

(3d Cir. 2014). As nothing in the record demonstrates that any exception to the mootness doctrine is present in this case, cf. Ford v. Bender, 768 F.3d 15, 30 (1st Cir. 2014), Stebbins's requests for preliminary injunctive relief, as asserted in the Complaint (doc. no. 1), complaint addendum (doc. no. 7), and a motion (doc. no. 7) to amend the complaint, should be denied as moot.

For the foregoing reasons, the district judge should deny as moot Stebbins's requests for preliminary injunctive relief in this action. Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's order. See United States v. De Jesús-Viera, 655 F.3d 52, 57 (1st Cir. 2011); Sch. Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010).


Andrea K. Johnstone
United States Magistrate Judge

December 30, 2014

cc: Richard L. Stebbins, pro se
John A. Curran, Esq.